

§ 1980.852

Trade Commission, Equal Credit Opportunity, Washington, DC 20580.”

[55 FR 11139, Mar. 27, 1990, as amended at 56 FR 29171, June 26, 1991]

§ 1980.852 FmHA or its successor agency under Public Law 103-354 evaluation of application.

(a) FmHA or its successor agency under Public Law 103-354 will complete Form FmHA or its successor agency under Public Law 103-354 1942-45, “Project Summary—Water and Waste Disposal and other Utility-type Projects,” or Form FmHA or its successor agency under Public Law 103-354 1942-43, “Project Summary Community Facilities (Other Than Utility-type Projects),” as appropriate. The application will be evaluated and a determination made as to whether the borrower is eligible, the proposed loan is for an eligible purpose, and there is reasonable assurance of repayment ability, sufficient collateral and equity, the proposed loan complies with all applicable statutes and regulations, and adequate funds are available. The FmHA or its successor agency under Public Law 103-354 Architect/Engineer will review the Preliminary Architect/Engineer reports and provide technical analysis and recommendations on the appropriate Project Summary. If FmHA or its successor agency under Public Law 103-354 determines it is unable to guarantee the loan, the lender will be informed in writing. Such notification will include the reasons for denial of the guarantee. If FmHA or its successor agency under Public Law 103-354 conditionally commits to guaranteeing the loan after the receipt of a completed application in accordance with §1980.47 of subpart A of this part, it will provide the lender and the borrower with Form FmHA or its successor agency under Public Law 103-354 449-14, listing all conditions for such guarantees. FmHA or its successor agency under Public Law 103-354 will include in the requirements of the Conditional Commitment for Guarantee a full description of the approved use of guaranteed loan funds as reflected in the Form FmHA or its successor agency under Public Law 103-354 1980-10.

(b) Within 30 days after the Form FmHA or its successor agency under

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Public Law 103-354 449-14 has been accepted, the State Director will send to the National Office, Attention: Community Facilities Division or Water and Waste Disposal Division, as appropriate, the following documents:

(1) A copy of Form FmHA or its successor agency under Public Law 103-354 1942-43 or FmHA or its successor agency under Public Law 103-354 1942-45.

(2) A copy of Form FmHA or its successor agency under Public Law 103-354 449-14 (with attachments) as accepted by the lender and borrower.

(3) A copy of the proposed loan agreement between the lender and the borrower.

(4) A copy of Form FmHA or its successor agency under Public Law 103-354 1980-10.

The cover memorandum should indicate whether the Form FmHA or its successor agency under Public Law 103-354 449-34 has been issued. If the Loan Note Guarantee has been issued, enclose a copy of the Lender Certification required by §1980.60(a) of subpart A of this part, and, if not, a proposed date for issuance of the Form FmHA or its successor agency under Public Law 103-354 449-34.

[56 FR 29172, June 26, 1991]

§ 1980.853 Loan approval and obligating funds.

The State Director will prepare an original and two copies of Form FmHA or its successor agency under Public Law 103-354 1940-3, “Request for Obligation of Funds—Guaranteed Loans” for each loan to be obligated. Also, for each initial loan, Form FmHA or its successor agency under Public Law 103-354 1980-50, “Add, Delete, or Change Guaranteed Loan Borrower Information,” will be prepared. The State Director will sign the original and one copy and conform the second copy. Form FmHA or its successor agency under Public Law 103-354 1940-3 will not be mailed to the Finance Office. Notice of approval to lender will be accomplished by providing or sending the lender the signed copy of Forms FmHA or its successor agency under Public Law 103-354 1940-3 and 449-14 on the obligation date, unless the Administrator has given prior authorization to the Finance Office to obligate before the 6-